



25 SEP 2006

Scott A. McCollister
Fay, Sharpe, Fagan, Minnich & McKee, LLP
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579

In re Application of	:	DECISION ON
SOULES, et al.	:	
Serial No.: 10/525,697	:	RENEWED PETITION
PCT No.: PCT/US03/27363	:	
Int. Filing Date: 29 August 2003	:	
Priority Date: 30 August 2002	:	UNDER 37 CFR 1.47(a)
Atty Docket No.: GLOZ 2 00122	:	
For: COATED LED WITH IMPROVED EFFICIENCY	:	

This decision is in response to the "Renewed Petition Under 37 C.F.R §1.47(a)" filed 08 September 2006 in the United States Patent and Trademark Office (USPTO) to accept the application without the signature of joint inventor Chen-Lun Hsing Chen.

BACKGROUND

On 03 July 2006, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration and advised that this period could be extended pursuant to 37 CFR 1.136(a).

On 08 September 2006, applicant filed the present renewed petition. Applicant has certified that the renewed petition was deposited for mailing on 05 September 2006; Monday, 04 September 2006 being a federal holiday, the present renewed petition is considered timely filed.

DISCUSSION

As detailed in the decision mailed 03 July 2006, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items 1 and 3. With the present filing, applicant has satisfied item (2). Specifically, applicant's present exhibits confirm that a complete set of application papers was sent by e-mail to the e-mail address provided by Mr. Chen and that the e-mail address used is the correct e-mail address.

As to item (4), the field declaration does not comply with 37 CFR 1.497(a)(3) as the citizenship for Mr. Chen does not appear on the declaration.

CONCLUSION

For the reasons stated above, applicant's petition under 37 CFR 1.47(a) is **DISMISSED**.

Any reconsideration on the merits of this petition must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459